

United States Government

Department of Energy

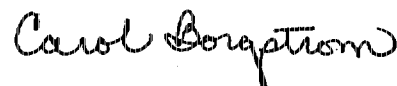
memorandum

DATE: February 23, 1998
REPLY TO:
ATTN OF: Office of NEPA Policy and Assistance:EH-421:JGears:202/586-7683
SUBJECT: Guidance on Dates for NEPA Documents
TO: NEPA Compliance Officers (list attached)

This memorandum transmits guidance regarding dates for the Department of Energy's (DOE) National Environmental Policy Act (NEPA) documents. The Office of NEPA Policy and Assistance prepared this guidance in consultation with the Office of General Counsel after a discussion of the matter at a DOE NEPA community meeting in June 1997.

The purpose of this guidance is to provide uniform conventions for dates for DOE NEPA documents. DOE shows a date on the cover of each NEPA document that it issues, but the Department has not always assigned such dates on a consistent basis. Application of the conventions in the attached guidance will standardize DOE's practice in both assigning dates and referencing them, and avoid confusion in the future.

Please direct any questions or comments you have on the guidance to either Eric Cohen or Joseph Gearo of my staff at (202) 586-4610.



Carol M. Borgstrom
Director
Office of NEPA Policy and Assistance

Attachment

cc: Mary R. Anderson, HR-221
NEPA Contacts (list attached)
NEPA Document Managers (list attached)
Field Counsel (list attached)
Others (list attached)

GUIDANCE ON DATES FOR DEPARTMENT OF ENERGY NEPA DOCUMENTS

PURPOSE

The purpose of this guidance is to provide uniform conventions regarding dates for Department of Energy (DOE) National Environmental Policy Act (NEPA) documents.* The guidance was prepared in consultation with the Office of General Counsel and was discussed at a DOE-wide NEPA community meeting in June 1997.

BACKGROUND

DOE shows a date on the cover of each draft and final Environmental Impact Statement (EIS), Environmental Assessment (EA), and on certain other documents that it issues under the Department's NEPA regulations (10 CFR Part 1021). However, the Department has not always assigned dates on a consistent basis. Application of the following conventions will standardize the Department's practice in assigning dates and referencing them, and avoid confusion in the future.

CONVENTIONS

Issuance Date: The date (month/day/year) that a NEPA document is approved or signed.

Reference Date: For NEPA documents that DOE distributes directly, reference the month and year of the issuance date, which should be shown on any cover.

For NEPA documents that DOE normally publishes in the Federal Register, reference the publication date. (In the Federal Register, the issuance date will be given above the approving official's signature block.)

IMPLEMENTATION

Cover Dates: Show the month and year of the issuance date on the cover of those NEPA documents that normally have a cover (i.e., EAs and EISs). This approach is consistent with recommendations in the U.S. Government Printing Office's Style Manual.

When DOE distributes directly a NEPA document (such as a Record of Decision) that also is published in the Federal Register, the cover or other appropriate location should provide a complete Federal Register citation (e.g., 62 FR 60889, November 13, 1997)

* DOE's NEPA Implementing Procedures (10 CFR Part 1021) define "NEPA document" to mean a DOE Notice of Intent, Environmental Impact Statement, Record of Decision, Environmental Assessment, Finding of No Significant Impact, or any other document prepared pursuant to a requirement of NEPA or the Council on Environmental Quality's NEPA Regulations (40 CFR Parts 1500-1508). This guidance on dating applies to the above-named documents and related documents, such as supplement analyses prepared pursuant to 10 CFR Part 1021.314.

when available, or otherwise a statement that the document is "to be published in the Federal Register."

Note that DOE normally distributes NEPA documents such as EAs, EISs, and Findings of No Significant Impact directly (i.e., does not publish them in the Federal Register). On the other hand, DOE "distributes" Notices of Intent and Records of Decision by publishing them in the Federal Register (and by other means).

Reference Dates:

(a) For NEPA documents that DOE distributes directly and does not normally publish in the Federal Register, reference the month and year of the issuance date, which also normally will be the cover date. A complete reference to such documents should include the title, NEPA document number, and issuance date. The following illustrates one way to refer to such NEPA documents:

"Environmental Assessment for the Off-Site Commercial Cleaning of Lead and Asbestos Contaminated Laundry from the Savannah River Site," DOE/EA-1130, December 1995.

(b) For NEPA documents that DOE publishes in the Federal Register, (e.g., Notices of Intent, Records of Decision), normally refer to the publication date (month, day and year) rather than the issuance date. Referencing the publication date rather than the issuance date usually is more useful because the Federal Register is widely accessible, and itself provides the issuance date. The following illustrates one way to refer to such documents:

"Record of Decision for the Uranium Mill Tailings Remedial Action Ground Water Project," (62 FR 22913, April 28, 1997).

(c) In situations when, despite best efforts, the cover date and the issuance date are different, refer to both dates to avoid confusion and ambiguity. For example:

"Final Environmental Impact Statement for a Major DOE Project," DOE/EIS-XXXX, Issued April 199X (Cover date March 199X).

A tabular summary of this guidance is attached for the user's convenience. The guidance will be posted on the Department's NEPA Web (<http://tis.eh.doe.gov/nepa/>).

Attachment

ASSIGNING AND REFERENCING DATES FOR DEPARTMENT OF ENERGY NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTS

	Environmental Assessment	Finding of No Significant Impact (FONSI)	Notice of Intent (NOI)	Environmental Impact Statement (EIS)	Record of Decision (ROD)	Other Directly-Distributed Documents (e.g., Supplement Analysis)
Date to Print on the Cover of the Document	Issuance date* (month and year)	Issuance date* (month and year) [Applicable only in the few cases when DOE distributes a FONSI with a cover. If such a FONSI also was published in the <u>Federal Register</u> (FR), print the <u>FR</u> citation** on the cover.]	Not applicable; published in the <u>FR</u>	Issuance date (month and year)	Not applicable; published in the <u>FR</u> [Note: When DOE distributes a ROD directly in addition to publication in the <u>FR</u> , print the issuance date (month and year) and the <u>FR</u> citation on the cover.]	Issuance date (month and year)
Date to Cite When Referencing the Document	Issuance date (month and year)	Issuance date (month and year) – or – If the FONSI is published in the <u>FR</u> , provide the <u>FR</u> citation.	Provide the <u>FR</u> citation	Issuance date (month and year) If , despite best efforts, the EIS cover date is not the issuance date, cite both dates.	Provide the <u>FR</u> citation	Issuance date (month and year)

* NEPA document is "issued" upon approval or signature.

** FR citation = Volume FR page number, date [e.g., 62 FR 22913, April 28, 1997].